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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**

**CIVIL APPELLATE JURISDICTION**

Civil Application No. 3450 of 2007
in
First Appeal No. 906 of 2007

| Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders | Court's or Judge's order |
|---|---|
| | Mr.Vishwanath S.Talkute for the Applicant<br><br>Mrs. Urmila K.Sanil for the Respondent<br><br>**CORAM:- Anoop V. Mohta, J**<br><br>**DATED:- 5th September, 2007.**<br><br>**P.C.**<br><br>. Considering th averments made, the fact remain that applicant no.1 husband and father of other applicants died in the accident.<br><br>2. Such death is inestimable. At this stage of the proceedings, considering the averments made, I am of the |

view that the applicants are entitled to withdraw part amount to the extent of Rs. 5 lacs.

3. However, the applicants are at liberty to withdraw Rs.2,50,000/- without furnishing any security. For rest of Rs.2,50,000/-, the applicant should furnish security to the satisfaction of the trial Court. Rest of the amount as lying be invested in some nationalised Bank for three years. It may be renewed thereafter if necessary. However, liberty is granted to the applicant to apply if case is made out. Civil Application is disposed off accordingly.

**(Anoop V. Mohta,J)**